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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.Nos.10166 & 10199 of 2021

Crl.OP.No.10166 of 2021

Nagaraj
S/o.Rajendran

... Petitioner/Accused

Vs.

The State represented by,
The Inspector of Police,
M-8, Sathangadu Police Station,
Tiruvallur District.
(Crime No.110 of 2021)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Sections 439 Cr.P.C. praying to enlarge him on bail pending investigation of the case in the Crime No.110 of 2021 on the file of the respondent police.

For Petitioner : Mr.M.Illiyas

For Respondent : Mr.E.Raj Thilak
Government Advocate (Crl.Side)

Crl.OP.No.10199 of 2021

Nagaraj
S/o.Rajendran

... Petitioner/Accused

Vs.

The State represented by,
The Inspector of Police,
M-8, Sathangadu Police Station,
Tiruvallur District.
(Crime No.104 of 2021)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Sections 439 Cr.P.C. praying to enlarge him on bail pending investigation of the case in the Crime No.104 of 2021 on the file of the respondent police.



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For Petitioner : Mr.M.Illiyas

For Respondent : Mr.E.Raj Thilak
Government Advocate (Crl.Side)

COMMON ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 27.04.2021 for the offence punishable under Sections 341, 294(b), 336, 427, 392, 397 and 506 (ii) of I.P.C, in Crime No.110 of 2021 and for the offences under Section 397 of IPC in Crime No.104 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution in respect of Cr.No.110 of 2021 is that on 26.04.2021 at about 19.00 hrs, while the defacto complainant came near Kalainar Nagar Junction, the petitioner and another robbed Rs.1,225/- from the defacto complainant at knife point and escaped from the spot. The case of the prosecution in respect of Cr.No.104 of 2021 is that on 19.04.2021 at about 16.00 hrs, the petitioner and another entered the house of the defacto complainant and robbed gold jewels worth about Rs.48,500/- at knife point. Hence, the complaints.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the above cases and he was falsely implicated by the respondent Police. He further submitted that the petitioner is incarcerated imprisonment from 27.04.2021. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent submitted that the present cases have been registered by the same respondent police. He further submitted that except these two cases, the petitioner has involved in three previous cases and there is also a proposal for detaining him under Goondas. Hence, he vehemently opposed for grant of bail to the petitioner.

5. It is seen that in addition to these two cases, the petitioner has also involved in three previous cases and there is also a proposal for detaining him under Goondas. All the offences involved by the petitioner are similar in nature. As such, the petitioner is a habitual offender. Therefore, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, both the criminal original petitions are dismissed.

-sd/-
10/06/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

- 1.THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
TIRUVALLUR
- 2.THE JUDICIAL MAGISTRATE,
THIRUVOTTIYUR.
- 3.THE INSPECTOR OF POLICE,
M-8, SATHANGADU POLICE STATION,
TIRUVALLUR DISTRICT.
- 4.THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.
- 5.THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to M/S.M.ILLIYAS Advocate on payment of necessary charges

CRL OP.10166/2021

Date :10/06/2021

SP(28/06/2021)